

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

Plaintiff,

ORDER

05-CR-6161L

v.

CHARLES SCHWAB, JOHN NICOLO,  
DAVID FINNMAN and CONSTANCE ROEDER,

Defendants.


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I have defendant John Nicolo's motion for a 3-month continuance (Dkt. #170), which was filed February 26, 2008. Based on two letters, there is insufficient basis to grant the relief requested, at this late date.

If defendant wishes to supplement his application, he must do so at a hearing, the week of March 3, 2008. The afternoons of March 3, 4 and 5, 2008 could be made available. Mr. Nicolo and his physicians are to be prepared to testify at that hearing. Also, Mr. Nicolo must execute a release of his medical records for review by the Court, the Government, and a physician of the Government's choosing. Mr. Nicolo must also be prepared to submit to a medical examination, if requested by the Government.

Defendant John Nicolo, through his attorney, is hereby directed to contact my chambers to schedule this hearing.

IT IS SO ORDERED.



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DAVID G. LARIMER  
United States District Judge

Dated: Rochester, New York  
February 27, 2008.